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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,429	09/16/2003	Christopher M. Glenna	54093US010	4543

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EXAMINER

AHMAD, NASSER

ART UNIT PAPER NUMBER

1772

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application N</b>	<b>Applicant(s)</b>	
	10/664,429	GLENN A ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nasser Ahmad	1772	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-17 and 20-30 is/are rejected.
- 7) ☒ Claim(s) 18 and 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Rejections Withdrawn***

1. Claims 15-16, 20-23 and 26-30 are rejected under 35 USC 103(a) as being unpatentable over Dills in view of Hammond for reasons of record in the amendment filed on October 21, 2004.

2. Claim 17 is rejected under 35 USC 103(a) as being unpatentable over Dills in view of Hammond and McLaughlin in view of the amendment.

3. Claims 18-19 and 24-25 are rejected under 35 USC 103(a) as being unpatentable over Dills in view of Hammond and Rosen in view of the amendment.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 15-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 15-17, 21 and 27-30 are rejected under 35 U.S.C. 102(b) as being anticipated by the English Translation of Japanese: 7-78203.

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The English Translation relates to a tape roll (figures 1 and 2) comprising a central tape roll axis, a length of tape (6) comprising a leading end and a trailing end (3), a first side, and a second side opposite the first side. The second side of the tape is at least partially covered with pressure sensitive adhesive (PSA) and wherein, the tape is circumferentially wound about the axis until a plurality of adjacent tape layers are wound. The tape roll also comprises a tab (4) having first and second opposite ends, a first side, and a second side opposite the first side, and wherein, the second side of the tab is at least partially covered with adhesive because, as shown in the drawings, the tab is adhered to the tape surface. The adhesive portion of the tab is adhered to the first side of the tape on the penultimate layer of the roll so that the trailing end (3) of the tape overlays the tab between the two ends thereof. The upward bent portion A (figure-3) is taken to be non-adhesive portion of the tab and includes deadening layer as it exhibits non-adhesive characteristic.

### ***Claim Rejections – 35 USC § 103***

¶ The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 15-17 and 20-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over The English Translation in view of Golub (2329527).

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The English Translation, as discussed above, fails to teach that the trailing end of the tape overlays both the adhesive and the non-adhesive portions of the tab. Golub relates to a tape roll, including a tab(13) covered with adhesive on all or part of its surface (figure-7). Therefore, it would have been obvious to one having ordinary skill in the art to utilize Golub's teaching the trailing end of a tape which overlays a tab having adhesive and non-adhesive portions in the invention of The English Translation of the Japanese: 7-78203 with the motivation to provide for facilitating separability and unwinding of the tape roll.

As for the adhesive strength of the tape being same, less or greater, it would have been obvious, based on optimization through routine experimentation, to provide for desired separability.

#### ***Allowable Subject Matter***

9. Claims 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art uncovered so far fails to teach or suggest that the tab is folded as recited in claim 18 or is a laminate as per claim 19.

#### ***Conclusion***

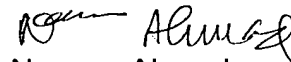
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-

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1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Nasser Ahmad  
Primary Examiner  
Art Unit 1772

N. Ahmad.  
January 9, 2005.